

1 JOHN E. VIRGA (Bar No. 39451)
2 MEGAN VIRGA (Bar No. 224820)
3 JOHN E. VIRGA, INC.
4 A Professional Corporation
5 721 Eleventh Street
6 Sacramento, CA 95814
7 Telephone: (916) 444-6595
8 Facsimile: (916) 444-3318
9
10 Attorneys for Defendant
11 ARMANDO CHRISTOPHER TABAREZ
12
13
14
15

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 ARMANDO CHRISTOPHER TABAREZ,

14 Defendant.
15

CASE NO. 2:94-CR-00320-JAM

**STIPULATION AND ORDER
CONTINUING ADMIT OR DENY
HEARING**

16 IT IS HEREBY STIPULATED by and between assistant U.S. Attorney Timothy Delgado,
17 counsel for the plaintiff United States of America, and John E. Virga, counsel for Defendant
18 Armando Tabarez, that the Admit or Deny Hearing currently scheduled for October 4, 2016, at
19 9:15 a.m., be continued until October 25, 2016, at 9:15 a.m.

20 Mr. Tabarez has a pending case in Sacramento Superior Court case number 15F05621 that
21 involves the same allegations that gave rise to his revocation of supervised release in this case.
22 The resolution of the state case has been prolonged because of issues with physically producing
23 Mr. Tabarez in court. To date he has been present for one of the eleven hearings on his case.
24 Despite this issue, defense counsel has completed investigations and worked toward resolution of
25 the case. The parties believe that resolving the state case first would greatly expedite a resolution
26 of the federal case.

27 On September 28, 2016, defense counsel appeared in Sacramento Superior Court and
28 discussed settlement with the Sacramento County Deputy District Attorney handling the

1 prosecution. Defense counsel believes that it is getting close to resolving the state case. Further,
2 on September 28, 2016, defense counsel spoke with the United States Probation Officer Garey R.
3 White who agreed that a brief continuance would assist in resolving both cases. Defense counsel
4 asks for this continuance in an effort to coordinate resolutions in both cases.

5 Timothy Delgado agrees to this request and has authorized John E. Virga to sign this
6 stipulation on his behalf. Further, United States Probation Officer Garey R. White also agrees
7 with this request.

8
9 DATED: September 29, 2016

10
11 By: /s/ John E. Virga

12 JOHN E. VIRGA
13 Attorney for Defendant

14 DATED: September 29, 2016

15 By: /s/ John E. Virga for Timothy Delgado

16 TIMOTHY DELGADO
17 Assistant United States Attorney
18
19
20
21
22
23
24
25
26
27
28

ORDER

Based upon the representations by counsel and the stipulation of the parties, IT IS
HEREBY ORDERED that:

The admit or deny hearing date of October 4, 2016, at 9:15 a.m. is vacated, and continued
until October 25, 2016, at 9:15 a.m.

DATED: 9/29/2016.

/s/ John A. Mendez

HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE